

**AMENDMENTS TO THE CLAIMS:**

**Please amend the claims as follows:**

1. (Original) A porous substrate, comprising a plurality of porous layers thereon, wherein the average opening diameter of pores in a porous layer of said plurality of porous layers positioned in an outermost surface is smaller than the average diameter of pores in a porous layer of said plurality of porous layers positioned on a substrate side relative to said porous layer positioned in said outermost surface.
2. (Original) A porous substrate, comprising a plurality of porous layers thereon, wherein the average opening diameter of pores in a porous layer of said plurality of porous layers positioned in an outermost surface is smaller than the average diameter of pores in a porous layer of said plurality of porous layers positioned on a substrate side relative to said porous layer positioned in said outermost surface; and the volume porosity of said plurality of porous layers is 10 % - 90 %.
3. (Original) A porous substrate, comprising two porous layers thereon, wherein the average opening diameter of pores in a first porous layer of said two porous layers positioned in an outermost surface is smaller than the average diameter of pores in a second porous layer positioned on a substrate side relative to said first porous layer; and more than 50 % of said pores

in said first porous layer penetrate from the surface of said first porous layer to the interface between said first and second porous layer.

4. (Original) A porous substrate, comprising two porous layers thereon, wherein the average opening diameter of pores in a first porous layer of said two porous layers positioned in an outermost surface is smaller than the average diameter of pores in a second porous layer positioned on a substrate side relative to said first porous layer; more than 50 % of said pores in said first porous layer penetrate from the surface of said first porous layer to the interface between said first and second porous layer; and the volume porosity of said first and second porous layer is 10 % - 90 %.

5. (Currently Amended) The porous substrate according to claim 3 ~~or 4~~, wherein said first porous layer comprises a metal material.

6. (Currently Amended) The porous substrate according to claim 3 ~~or 4~~, wherein said first porous layer comprises a metal oxide, a metal nitride, or a metal carbide.

7. (Currently Amended) The porous substrate according to claim 3 ~~or 4~~, wherein said second porous layer comprises a semiconductor material.

8. (Currently Amended) The porous substrate according to claim 3 ~~or 4~~, wherein said second porous layer comprises a group III nitride series compound semiconductor material.

9. (Currently Amended) The porous substrate according to claim ~~3 or 4~~, wherein said first porous layer comprises TiN or Pt, and said second porous layer comprises GaN.

10. (Currently Amended) The porous substrate according to claim ~~3 or 4~~, wherein said average opening diameter of said porosity in said first porous layer is not more than  $1\mu\text{m}$ .

11. (Currently Amended) The porous substrate according to claim ~~3 or 4~~, wherein the film thickness of said first porous layer is not more than  $1\mu\text{m}$ .

12. (Original) A fabrication method for a porous substrate, comprising growing two or more different material layers on a substrate, heating said each layer, and thereby forming two or more porous layers with pores therein.

13. (Currently Amended) A GaN series semiconductor layered substrate, comprising a GaN series semiconductor layer grown on a porous substrate defined in ~~any one of claims 1-11~~ claim 1.

14. (Original) A fabrication method for a GaN series semiconductor layered substrate, comprising growing two or more different material layers on a substrate, heating said each layer, thereby forming a porous substrate with two or more porous layers having pores therein, and growing a GaN semiconductor layer on that porous substrate.

15. (New) A GaN series semiconductor layered substrate, comprising a GaN series semiconductor layer grown on a porous substrate defined in claim 2.

16. (New) A GaN series semiconductor layered substrate, comprising a GaN series semiconductor layer grown on a porous substrate defined in claim 3.

17. (New) A GaN series semiconductor layered substrate, comprising a GaN series semiconductor layer grown on a porous substrate defined in claim 4.